

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DWUAN FLEMING,

Plaintiff,
v.

KEVIN CARR, et al.

Defendants.

ORDER

Case No. 22-cv-473-wmc

On September 7, 2022, I assessed plaintiff Dwuan Fleming an initial partial payment of \$128.25 due by September 29, 2022. Now plaintiff has submitted a letter, which I construe as a motion for an order requiring disbursement of \$128.25 from plaintiff's release account to make the initial partial payment of the filing fee. Plaintiff's general trust fund account lacks sufficient funds, and plaintiff seeks an order requiring disbursement of \$128.25 from plaintiff's release account.

Pursuant to 28 U.S.C. § 1915(b)(1), prison officials are required to use a prisoner's release account to satisfy an initial partial payment if no other funds are available. *Carter v. Bennett*, 399 F. Supp. 2d 936, 936-37 (W.D. Wis. 2005).

ORDER

IT IS ORDERED that prison officials are directed to disburse \$128.25 from plaintiff's release account for payment of the initial partial filing fee. Plaintiff's initial partial filing fee is due by October 24, 2022.

Entered this 3rd day of October, 2022.

BY THE COURT:

/s/
STEPHEN L. CROCKER
Magistrate Judge